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*Counsel for Albert Wilk
Alex Dickman and Metropolitan Estates*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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IN RE:

EMMONS-SHEEPSHEAD BAY DEVELOPMENT, LLC.

Chapter 11

Debtor.
-----X

Case No. 12-46321 (ESS)

**NOTICE OF MOTION TO REOPEN CONFIRMATION PROCEEDING, VACATE
ORDER CONFIRMING PLAN & RECONSIDER FOR RELIEF UNDER
RULE 9023 AND 9024 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

PLEASE TAKE NOTICE, that Albert Wilk D/B/A Wilk Re, Alex Dikman and Metropolitan Estates, Emmons Avenue, LLC, in a derivative capacity on behalf of minority members (collectively, the “Movants”) through their counsel Karamvir Dahiya, Esq. of Dahiya Law Offices LLC shall move the court for a hearing to request reconsideration and vacating the Order dated July 3, 2013, Confirming the Chapter 11 Plan under Rules 9023 and 9024 of Federal Rules of Bankruptcy Procedure, on the grounds, among others that the Movants have been deprived of their due process rights and that property of the debtor is not property of the estate and further shall request for stay of Order confirming the plan, pending appeal of this matter pursuant to Rule 8005.

The motion for the abovementioned subject has been scheduled to heard on August 15, 2013 at 10:00 A.M. before the Honorable Elizabeth S. Stong, United States Bankruptcy Judge, in

Court-Room 3585 of the United States Bankruptcy Court for the Eastern District of New York,
located at 271 Cadman Plaza East, Brooklyn New York 11201

PLEASE TAKE FURTHER NOTICE that if no responses are timely filed and served with respect to the Motion, the Movants, on or after the Response Deadline, at least 5 days, prior to scheduled hearing submit to the Bankruptcy Court an order granting the relief requested in the Motion, which order may be entered with no further notice or opportunity to be heard offered to any party

Dated: New York New York
July 17, 2013

Respectfully Submitted,

By: 

Karamvir Dahiya, Esq.
Counsel for Albert
WilkD/B/A Wilk Re, Alex
Dikman, Metropolitan
Estates Emmons Avenue,
LLC, in a derivative capacity.